

REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

Claim Objections

The Examiner objects to claims 1, 3, 8, 9 and 15.

Regarding claim 1, the Examiner has asserted that "*a film on a semiconductor substrate by exposing the film to a smoothing medium*" is not described in the specification. This was recited in original claim 1, which is part of the specification, as well as in paragraph [0039], and elsewhere. In order to further address the Examiner's objection, paragraph [0039] has been amended herein to specifically incorporate what was originally recited in claim 1.

Regarding claim 3, the Examiner has asserted that "*removing the film from the smoothing medium*" is not described in the specification. This was recited in original claims 3, which is part of the specification, as well as in paragraphs [0025], [0040], and elsewhere. In order to further address the Examiner's objection, paragraph [0040] has been amended herein to specifically incorporate what was originally recited in claim 3.

Regarding claim 8, the Examiner has asserted that "*the smoothing medium is solvent*" is not described in the specification. This was recited in original claim 8, which is part of the specification, as well as in paragraph [0039], and elsewhere. In order to further address the Examiner's objection, paragraph [0039] has been amended herein to specifically incorporate what was originally recited in claim 8.

Regarding claim 9, the Examiner has asserted that "*the solvent is ethyl lactate*" is not described in the specification. Applicants respectfully disagree. This is disclosed in

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original claim 9, which is part of the specification, as well as in paragraph [0039]. In particular, paragraph [0039] specifically recites, "*smoothing solvent 88 may be a solvent such as ethyl lactate*".

Regarding claim 15, this claim has been amended to overcome the objection.

Allowable Subject Matter

Applicants note with appreciation the Examiner's allowance of claims 10-17. These claims are re-presented herein.

The Examiner has also indicated that claim 2 would be allowable if rewritten in independent form including the limitations of base claim 1. Applicants have rewritten claim 2 in this manner. Accordingly, claim 2 and its dependent claims are believed to be allowable.

New claims 23-33 depend from one of the allowable claims and are also believed to be allowable.

35 U.S.C. §102(e) Rejection – Kai and Sakaguchi

The Examiner has rejected claims 1 and 3-9 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,057,623 issued to Kai et al. (hereinafter referred to as "Kai") and U.S. Patent No. 6,429,095 issued to Sakaguchi et al. (hereinafter referred to as "Sakaguchi").

Without admitting that these references may be combined, or other aspects of the appropriateness of this rejection, Applicants respectfully submit that claim 1 has been cancelled in order to expedite allowance of this case.

Claims 3-9 depend from claim 2, which the Examiner has indicated would be allowable if rewritten in independent form including the limitations of the base claim 1. Accordingly, claims 3-9 are also believed to be allowable.

Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/8/06

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